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From: Amelia Turner Legal Assistant to Stephen R. Tkacs	No. of Pages Including Cover Sheet: 24
Message: Transmitted herewith: <ul style="list-style-type: none">• Transmittal Document; and• Appeal Brief.	
Re: Application No.: 09/838,378 Attorney Docket No: AUS920010002US1	
Date: Thursday, December 16, 2004	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Day et al.**

Serial No.: **09/838,378**

Filed: **April 19, 2001**

**For: Method, Apparatus, and Program
for Associating Successive Repointing
of a Browser's Load Function with
Navigational Links in Web Pages**

35525

PATENT TRADEMARK OFFICE
CUSTOMER NUMBER

§ Group Art Unit: **2173**
§
§ Examiner: **Pillai, Namitha**
§
§ Attorney Docket No.: **AUS920010002US1**
§

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By: *Amelia C. Turner*
Amelia C. Turner

TRANSMITTAL DOCUMENT

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Sir:
TRANSMITTED HEREWITH:

- Appeal Brief (37 C.F.R. 41.37).

A fee of \$500.00 is required for filing an Appeal Brief. Please charge this fee to IBM Corporation Deposit Account No. 09-0447. No additional fees are believed to be necessary. If, however, any additional fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Day et al.**

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Group Art Unit: 2173

Serial No.: 09/838,378.

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Examiner: Pillai, Namitha

Filed: April 19, 2001

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For: Method, Apparatus, and Program for Associating Successive Repointing of a Browser's Load Function with Navigational Links in Web Pages

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By:

Amelia C. Turner
Amelia C. Turner

APPEAL BRIEF (37 C.F.R. 41.37)

This brief is in furtherance of the Notice of Appeal, filed in this case on October 29, 2004.

The fees required under § 41.20(B)(2), and any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF APPEAL BRIEF.

(Appeal Brief Page 1 of 22)

Day et al. - 09/838,378

REAL PARTY IN INTEREST

The real party in interest in this appeal is the following party: International Business Machines Corporation

RELATED APPEALS AND INTERFERENCES

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in the pending appeal, there are no such appeals or interferences.

STATUS OF CLAIMS

A. TOTAL NUMBER OF CLAIMS IN APPLICATION

Claims in the application are: 1-6, 8-14, 16-21, and 23-25

B. STATUS OF ALL THE CLAIMS IN APPLICATION

1. Claims canceled: 7, 15, and 22
2. Claims withdrawn from consideration but not canceled: NONE
3. Claims pending: 1-6, 8-14, 16-21, and 23-25
4. Claims allowed: NONE
5. Claims rejected: 1-6, 8-14, 16-21, and 23-25

C. CLAIMS ON APPEAL

The claims on appeal are: 1-6, 8-14, 16-21, and 23-25

STATUS OF AMENDMENTS

There are no amendments after final rejection.

SUMMARY OF CLAIMED SUBJECT MATTER

Independent claims 1, 9, 24, and 25:

The presently claimed invention provides a method, apparatus, and computer program product, in a data processing system, for navigation between pages within a series of pages. The present invention receives a page that is a current page within a series of linked pages. See specification, page 13, lines 10-22. The present invention identifies a series link that references a contiguous page within the series of pages and automatically associates a series link control with the series link. See specification, page 13, line 23, to page 14, lines 1 and 10-15; page 16, lines 21-24. Examples of identifying a series link are provided in the specification on page 14, line 16, to page 16, line 12; page 18, lines 6-13. Examples of series links are shown at 452, 454 in Figure 4 and examples of series link controls are shown at 502, 504, 506 in Figure 5.

The means recited in independent claim 9, as well as dependent claims 10-14 and 16, may be data processing hardware within client 101 operating under control of software performing the steps described in the specification at page 13, line 10, to page 16, line 24; page 18, line 6, to page 19, line 3, or equivalent. A person having ordinary skill in the art would be able to derive computer instructions on a computer readable medium given Figure 8 and the corresponding description at page 18, line 6, to page 19, line 3, without undue experimentation.

Independent claim 17:

In addition to the above, the present invention may also present an apparatus for navigation between pages within a series of pages. A communications module, for example 710 in Figure 7 or equivalent, receives a document that is a current page in a series of pages and includes a link to a contiguous page in the series of pages. A link discovery module, for example 750 in Figure 7 or equivalent, identifies a series link in the current page that references a contiguous page within the series of pages and automatically associates a series link control with the series link. See specification, page 13, line 23, to page 14, lines 1 and 10-15; page 16, lines 21-24.

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

The grounds of rejection on appeal are as follows:

Claims 1-6, 8-14, 16-21, and 23-25 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by *Wittenburg et al.* (U.S. Patent No. 6,515,656).

ARGUMENT

I. 35 U.S.C. § 102, Alleged Anticipation of Claims 1-6, 8-14, 16-21, and 23-25

The Final Office Action rejects claims 1-6, 8-14, 16-21, and 23-25 under 35 U.S.C. § 102 as being anticipated by *Wittenburg et al.* (U.S. Patent No. 6,515,656). This rejection is respectfully traversed.

Wittenburg teaches synchronized spatial-temporal browsing of images for assessment of content. A hierarchical data file 20 references a plurality of multimedia files 24. A translational tool 26 converts the information in the hierarchical data file 20 into a user interface for displaying the multimedia data files in a manner similar to flipping pages. See *Wittenburg*, col. 4, lines 5-49; col. 7, line 58, to col. 8, line 60.

In contradistinction, the present invention allows a user to navigate among pages within a series of linked pages. Computer users that browse Web content often encounter series of pages that are linked together. To navigate among the series of linked pages, the user must locate a link from each page to the next or previous page. The user must then move the mouse cursor to that link and select the link. The present invention solves the disadvantages associated with typical browsing techniques by automatically associating a series link control with a link to a contiguous page within a series of pages. Claim 1 recites:

1. A method, in a data processing system, for navigation between pages within a series of pages, comprising:
 - receiving a document, wherein the document comprises a current page within a series of pages and wherein each page within the series of pages includes a link to a contiguous page within the series of pages;
 - responsive to receiving the document, identifying a series link in the current page, wherein the series link references a contiguous page within the series of pages; and
 - responsive to a series link being identified in the current page, automatically associating a series link control with the series link, wherein activation of the series link control results in navigation to the contiguous page referenced by the series link.

Wittenburg does not teach or fairly suggest the claimed features, particularly as recited, in combination, in claim 1.

More particularly, with respect to the individual claim limitations, *Wittenburg* does not teach or suggest receiving a document that is one of a series of pages wherein each page within

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